

## **FISCAL NOTE**

### **SB 3439 - HB 3661**

February 10, 2008

**SUMMARY OF BILL:** Requires the Tennessee Bureau of Investigation (TBI) to create, maintain and post on the Internet a repeat DUI registry of persons convicted of two or more DUI violations, if at least one such violation occurred on or after July 1, 2008, and such person's license is suspended or revoked at the time of the violation. Effective September 1, 2008, requires court clerk to forward copy of judgment, number and dates of DUI convictions, booking photograph of offender, date of driver's license revocation and whether a restricted driver's license has been issued, and other relevant data to the TBI within 45 days of judgment. Requires TBI to remove person from registry within 45 days of reinstatement of the person's driver's license.

#### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$143,500/One-Time  
\$19,200/Recurring**

**Increase Local Expenditures\* - \$75,000/One-Time  
Exceeds \$4,088,300/Recurring**

#### **Assumptions:**

- Currently, court clerks do not have access to booking photographs or criminal history information. Unless all of a person's DUI occurred in one county, the clerk would not have access to the number and dates of an individual's convictions. In order to collect the required information, the Administrative Office of the Courts (AOC) would need to modify the TnCIS program to collect the additional information and booking photographs and to develop a data transfer mechanism to get the collected data to TBI within the 45-day timeframe at an estimated one-time cost of \$85,000.
- Metro/Davidson, Shelby, Knox and Hamilton counties use other vendors for court case management such as Bridge, Government Services Automation (GSA) or Sungard. Metro/Davidson, Shelby and Knox counties would incur additional costs to have the relevant software modified to comply with the new requirements as well. According to Hamilton County, its current system already collects the required information and there would be no need for modifications. The one-


time cost for software changes for Metro/Davidson, Shelby and Knox counties is estimated to be \$75,000 (3 x \$25,000 per county).

- Local governments would have a recurring increase in expenditures for additional personnel, especially in those counties that do not use TnCIS and would have to collect this data manually. It is estimated that each county would need to hire one additional person at a recurring cost of \$43,035 (\$30,000 salary plus \$13,035 benefits) each. This increase is estimated to exceed \$4,088,325 statewide.
- The TBI will have a one-time expenditure of \$48,000 to develop and maintain the repeat DUI offender registry. This reflects \$15,000 for programming costs, \$8,000 for a new web server, \$20,000 for a Microsoft SQL Server license and \$5,000 for the Crystal Reports Software license. TBI would upgrade an existing position to handle the additional responsibilities under this bill and would have a recurring expenditure of \$8,179 for the additional salary of \$6,000 plus \$2,179 for benefits. TBI would also incur recurring expenses of \$11,000 for programming, software licenses and web server maintenance.
- The Department of Safety will have a one-time increase in expenditures of \$10,500 due to three computer program changes relating to batch history, on-line history and on-line reinstatement to notify the TBI when a person's driver's license has been reinstated.

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and "W".

James W. White, Executive Director

/lsc